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REFERENCE TITLE: **secure and verifiable identification**

State of Arizona
Senate
Forty-seventh Legislature
First Regular Session
2005

SB 1511

Introduced by
Senators Martin, Gould, Gray, Harper; Representative Murphy: Senator
Jarrett; Representative Weiers JP

AN ACT

**AMENDING TITLE 41, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 41; RELATING
TO IDENTIFICATION REQUIREMENTS.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 41, Arizona Revised Statutes, is amended by adding
3 chapter 41, to read:

4 CHAPTER 41

5 SECURE AND VERIFIABLE IDENTIFICATION

6 ARTICLE 1. GENERAL PROVISIONS

7 41-4251. Identification requirements; exceptions; consequences;
8 definitions

9 A. FOR THE DISBURSEMENT OF THOSE PUBLIC SERVICES, INCLUDING LAW
10 ENFORCEMENT SERVICES, IN THIS STATE THAT REQUIRE RECIPIENTS TO PRODUCE
11 IDENTIFICATION, A DEPARTMENT, AGENCY, COMMISSION, BOARD OR DISTRICT OF THIS
12 STATE OR A POLITICAL SUBDIVISION OF THIS STATE MAY NOT ACCEPT OR RECOGNIZE
13 ANY IDENTIFICATION DOCUMENT UNLESS THE DOCUMENT WAS ISSUED BY A STATE OR
14 FEDERAL AUTHORITY AND IS VERIFIABLE BY A LAW ENFORCEMENT OR HOMELAND SECURITY
15 AGENCY. LAW ENFORCEMENT SERVICES SHALL NOT BE WITHHELD BECAUSE OF THE
16 PRESENTATION OF AN UNVERIFIABLE IDENTIFICATION DOCUMENT, RATHER THE
17 UNVERIFIABLE DOCUMENT MERELY CANNOT BE USED TO ESTABLISH IDENTITY. A
18 POLITICAL SUBDIVISION OF THIS STATE SHALL NOT AUTHORIZE ACCEPTANCE OF AN
19 UNVERIFIABLE IDENTIFICATION DOCUMENT NOR MAY ANY PUBLIC OFFICIAL ACTING IN
20 THE CAPACITY OF A PUBLIC OFFICIAL ACCEPT, ACKNOWLEDGE OR RECOGNIZE ANYTHING
21 OTHER THAN A VERIFIABLE IDENTIFICATION DOCUMENT. FOR THE PURPOSE OF ISSUING
22 ANY FORM OF IDENTIFICATION, LICENSE, PERMIT OR OFFICIAL DOCUMENT TO ANY
23 PERSON, A POLITICAL SUBDIVISION OF THIS STATE SHALL NOT RELY ON, OR USE IN
24 ANY MANNER, ANY DOCUMENT OTHER THAN A VERIFIABLE IDENTIFICATION DOCUMENT.

25 B. EXCEPTIONS TO THIS SECTION SHALL BE MADE ONLY AS REQUIRED BY TREATY
26 OR FEDERAL LAW OR FOR THE PURPOSE OF REPORTING A CRIME. ACTIONS THAT ARE
27 KNOWINGLY TAKEN AND THAT ARE INCONSISTENT WITH THIS SECTION ARE DEEMED TO BE
28 OUTSIDE OF THE OFFICIAL CAPACITY OF THE AGENCY, OFFICER, ELECTED OFFICIAL,
29 AGENT OR EMPLOYEE SO ACTING AND ARE NOT PROTECTED BY GOVERNMENTAL IMMUNITY.

30 C. FOR THE PURPOSES OF THIS ARTICLE:

31 1. "LAW ENFORCEMENT AGENCY" MEANS ANY LAW ENFORCEMENT OR INTELLIGENCE
32 AGENCY, DEPARTMENT OR AUTHORITY OF THE UNITED STATES GOVERNMENT, A STATE
33 GOVERNMENT OR A POLITICAL SUBDIVISION OF THE UNITED STATES GOVERNMENT OR A
34 STATE GOVERNMENT.

35 2. "VERIFIABLE" MEANS THAT THE ISSUANCE OF A DOCUMENT BY THE ISSUING
36 AGENCY TO THE INDIVIDUAL NAMED ON THE DOCUMENT IS CAPABLE OF BEING CONFIRMED
37 ON REQUEST BY A UNITED STATES LAW ENFORCEMENT AGENCY.